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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

THE UNITED STATES OF AMERICA,

Case No.: 2:23-CR-00188 WBS

11 Plaintiff,
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13 vs.
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15 Defendants.

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE

REQUESTED DATE: FEBRUARY 26, 2024
TIME: 9:00 A.M.
JUDGE: HON. WILLIAM B. SHUBB

STIPULATION

Plaintiff, United States of America, by and through its counsel of record, Heiko P. Coppola, and Defendants Y Thi Nhu Le, by and through her counsel of record, Timote Tuitavuki, and Ben Van Phan, by and through his counsel of record, Mary Ann F. Bird, (collectively, the “parties”) hereby stipulate as follows:

1. By previous order, this matter was set for status conference on December 11, 2023 at 9:00 a.m. and time was ordered excluded in the interest of justice.
2. By this stipulation, the parties hereby move to continue the status conference to February 26, 2024 because counsels for the defendants need additional time to properly prepare a

1 defense. Specifically, defense counsels need the additional time based on the voluminous
2 nature of the discovery.

3 3. Counsels for the defendants believe that failure to grant the above requested continuance
4 would deny them the reasonable time necessary for effective preparation, taking into
5 account the exercise of due diligence and the Government does not object to the
6 continuance.

7 4. Based on the above stated findings, the ends of justice served by continuing the case as
8 requested outweigh the interest of the public and the defendants in a trial within the
9 original dates prescribed by the Speedy Trial Act.

10 5. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. section 3161, et
11 seq, within which trial must commence, the time period of December 11, 2023 to
12 February 26, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. 3161(h)(7)(A),
13 B(iv)[Local Code T4], because it results from a continuance granted by the Court at the
14 defendant' request on the basis of the Court's findings that the ends of justice served by
15 taking such action outweigh the best interest of the public and the defendant in a speedy
16 trial.

17 6. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period
19 within which a trial must commence.

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24 IT IS SO STIPULATED.

25 Dated: December 4, 2023

Respectfully submitted,

26 PHILLIP A. TALBERT
27 United States Attorney

28 BY: /s/ HEIKO P. COPPOLA

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HEIKO P. COPPOLA
Assistant United States Attorney

Dated: December 4, 2023

/s/TIMOTE FAKAOFO TUITAVUKI
TIMOTE FAKAOFO TUITAVUKI
Attorney for Y Thi Nhu Le

Dated: December 4, 2023

/s/ MARY ANN F. BIRD
MARY ANN F. BIRD
Attorney for Ben Van Phan

FINDINGS AND ORDER

The matter having come before the Court and for good cause appearing,

The Court hereby continues the status conference hearing to February 26, 2024 at 9:00

A.M. Time is excluded under the Speedy Trial Act from December 11, 2023 up to and including February 26, 2024. The ends of justice outweigh the best interests of the public and the defendants in a trial within the original dates prescribed by the Speedy Trial Act.

IT IS SO ORDERED.

Dated: December 5, 2023



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE